



MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF COMMISSIONERS
FOR THE
COUNTY OF LEE, STATE OF NORTH CAROLINA

FEBRUARY 6, 2006

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m. in the County Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were W. Chad Adams, Robert H. Brown, Herbert A. Hincks, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, and Amy L. Stevens.

Chairman Hincks presided and the following business was transacted:

County Commissioner Amy Stevens delivered the invocation and led the pledge of allegiance.

The Board considered additions/changes to the agenda. Chairman Hincks added supplemental agenda items recommended by County Manager David Smitherman for a resolution in memory of Sanford Police Major Roscoe Petty, the purchase of new radio equipment for each volunteer fire department, and a revised resolution adopting the recommendations of the Lee County Rural Fire Protection Improvement Task Force. Chairman Hincks also stated that he would change the order of the agenda to move the Mental Health presentation to the second item under New Business and Public Comments would be addressed prior to discussion of the Fire Task Force recommendations. Commissioner Paschal moved to amend the agenda as presented above. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered consent agenda items. Commissioner Adams moved to approve the consent agenda as amended by the above motion, which consisted of the following items:

- Minutes from the January 20, 2006 special meeting
- Budget amendment # 02/06/06/#13 (copy attached)

- Governor's One on One Grant for Family and Youth Services
- Resolution in memory of Sanford Police Major Roscoe C. Petty
- Purchase of new VHF radios for each volunteer fire department in the amount of \$32,335.70 (per attached proposal)

Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives read the resolution in memory of Sanford Police Major Roscoe C. Petty.

Mr. Joe Cherry, Chairman of the Employee Selection Committee told Commissioners that Mr. Russell Spivey, Operations Superintendent from Lee County General Services had been selected as the February 2006 Employee of the Month. Chairman Hincks presented Mr. Spivey his awards which included a day off with pay, a star award, a framed certificate, a pizza from Papa Johns' Pizza, Coca Cola products from Sanford Coca Cola, and a movie rental from Movie Gallery. Mr. Spivey will be considered for the Employee of the Year Award in December.

Mr. Mike Watson from the Sandhills Mental Health Center updated the Board on Mental Health Reform. Mr. Watson told the Board that significant changes have been made in the past 3-4 months and the State now wants to cut \$28 million dollars from Mental Health programs. This cut means that the Sandhills Center will be cut by \$2 or \$3 million dollars by July 1, 2006. Mr. Watson stated that his organization will be looking at a budget cut plus options that will be available to the consumers. A new set of Medicaid rules will be in place by March 20, 2006, outlining more specific definitions of the kinds of services that will be available. From March 20th through July 1st the Sandhills Center will begin transition of consumers to private case management companies. Mr. Watson answered questions from Board members. No action was taken.

Mr. Scott Holt who lives at 900 Wildlife Road, Sanford, and is President of the Fire Chiefs' Council, spoke during the Public Commits portion of the meeting. Mr. Holt read a prepared statement on behalf of the Lee County Fire Chiefs' Association, a copy of which is attached to these minutes and by this reference made a part hereof.

County Manager David Smitherman presented a power point presentation on recommendations from the Rural Fire Protection Improvement Task Force. Prior to the presentation, Commissioner Paschal moved to approve the revised resolution presented to the Board at the beginning of the meeting. After the presentation, Mr. Smitherman answered questions from the Board. Commissioner Reives moved to amend Commissioner Paschal's motion to approve the following recommendations from the Rural Fire Protection Improvement Task Force:

1. Authorize the County Manager to hire a Fire Marshal;
2. Authorize the County Manager to reclassify the Fire Marshal position to a department head and set a salary for said position;
3. Create and appoint a Lee County Fire Advisory Board; and
4. Integrate the Fire Chiefs' Council into the broader organizational structure

A copy of the resolution addressing the above recommendations is attached to these minutes and by this reference made a part hereof.

Commissioner Paschal accepted Commissioner Reives amended motion over his original motion. Upon a vote of the amended motion, the results were as follows:

Aye: Adams, Hincks, Lemmond, Paschal, Reives, and Stevens

Nay: Brown

The Chairman ruled the motion had been adopted by a six to one vote.

Commissioner Brown stated that he voted in opposition to the motion because, as a member of the Task Force, he had signed off on all recommendations.

Commissioner Adams moved to approve ordinances amending the Lee County Zoning Map of Lee County for the following recommendations from the Lee County Planning Board, copies of which are attached to these minutes and by this reference made a part hereof:

- Rezoning petition by Mr. Albert Adcock to rezone 2.32 acres of land at 131 Amos Bridges Road;
- Rezoning petition by Mr. Albert Adcock, on behalf of ACA/PJA, LLC, and Mack Simpson, to rezone 4.20 acres of land at 2329, 2333 and 2337 Jefferson Davis Highway;
- Letter of Credit for Phase 4, Doe Run Section 3, Subdivision located off Deep River Road; and
- Preliminary Plat for "Outback Acres" Subdivision located off Buckhorn Road

Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens

Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from Tax Administrator Kep Kepley to approve the appointment of Ms. Kathy Richardson and Ms. Denette Fitzpatrick as Deputy Tax Collectors, per North Carolina G.S. 105-349. Mr. Kepley stated that this was a recommendation from the March 2005 Tax Office audit. Commissioner Brown moved to approve Mr. Kepley's recommendation to appoint Ms. Kathy Richardson and Ms. Denette Fitzpatrick as Deputy Tax Collectors. County Attorney K. R. Hoyle told the Board that if the above motion were approved, these employees would become

employees of the governing body, term limits would have to be set, a bond would have to be furnished, and compensation would be fixed by the governing body. Commissioner Brown withdrew his motion. Commissioner Reives moved the matter be tabled until the February 20, 2006 meeting. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the purchase of new voting machines. Ms. Susan Feindel, Chairperson of the Lee County Board of Elections told the Board that the Board of Elections had approved, earlier in the day, a modified resolution to purchase seventeen (17) optical scan voting machines and sixteen (16) Direct Record Electronic (DRE) machines from Election Systems and Services. Ms. Feindel stated that the new machines will bring the county into compliance with both the Americans with Disabilities Act and state law requiring all voting machines to produce a paper record of each person's ballot. After some discussion, Commissioner Brown moved to accept the modified resolution adopted by the Board of Elections, a copy of which is attached to these minutes and by this reference made a part hereof, to purchase the two types of voting machines mentioned above. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Adams stated that he voted in the affirmative but under protest.

With no further business to come before the Board, Commissioner Lemmond moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

Herbert A. Hincks, Chairman

ATTEST:

Gaynell M. Lee, Clerk